

REMARKS

A telephonic interview was conducted on June 11, 2010. Attendees to the interview included Bradford Addison and Eric Williams. Applicant wishes to thank Examiner Hong Sang for the courtesies extended during the telephonic interview. An interview summary was issued by the Examiner on June 18, 2010.

Claim Amendments of Pending Claims

Pending claims 1, 4-8, 44-50, 53-55, 59, and 65 have been amended. Furthermore, claims 10, 14, 15, 19, 21, 22, 28, 30, 31, 34, and 37 have been canceled without prejudice and without disclaimer of the subject matter therein. Support for the amendment to claim 6 is found, for example, in paragraph 12 of the application as filed. Support for the amendment to claim 7 is found, for example, in paragraph 25 of the application as filed. Support for the amendment to claim 44 is found, for example, in paragraph 12 of the application as filed. Support for the amendment to claim 55 is found, for example, in paragraph 12 of the application as filed. Claims 1, 4-5, 8, 45-50, 53-54, 59, and 65 have also been amended.

Amendments to the pending claims were made following the telephonic interview with the Examiner in an effort to expedite passage of the claims to issuance.

Request for Rejoinder of Withdrawn Claims

In the Office Action of April 3, 2006, the Examiner withdrew claims of a non-elected group following restriction with traverse. Applicant herein requests rejoinder of the withdrawn claims to the captioned application. Claims 9, 11-13, 16-18, 20, 23-27, 29, 32-33, 35-36, 38-43, 58, and 62-64 have been amended. Support for the amendment to claim 9 is found, for example, in paragraphs 13 and 43 of the application as filed. Support for the

amendment to claim 18 is found, for example, in paragraph 13 of the application as filed. Support for the amendment to claim 35 is found, for example, in paragraph 13 of the application as filed. Support for the amendment to claim 58 is found, for example, in paragraphs 40 and 43 of the application as filed. Support for the amendment to claim 64 is found, for example, in paragraphs 40 and 43 of the application as filed. Claims 11-13, 16-17, 20, 23-27, 29, 32-33, 36, 38-43, and 62-63 have also been amended.

Amendments to the claims under consideration for rejoinder were made following the telephonic interview with the Examiner in an effort to expedite passage of the claims to issuance.

Examiner's Objection to Claim 7

In the telephonic interview of June 11, 2010, the Examiner objected to claim 7 of the captioned application. Briefly, the Examiner stated that claim 7 as previously presented (specifying that the polypeptide of claim 1 comprises at least 15 contiguous amino acids of SEQ ID NO: 2) was not properly dependent from claim 1. Applicant traverses the Examiner's objection and respectfully submits that claim 7 can properly depend from claim 1.

Applicant has amended claim 7 to specify that the polypeptide of claim 1 comprises at least 25 contiguous amino acids of SEQ ID NO: 2. Support for the amendment is found in paragraph 25 of the specification as filed.

Applicant respectfully points out that claim 7 depends from independent claim 1. According to claim 1, the composition comprises a polypeptide "selected from the group consisting of: (a) a polypeptide having an amino acid sequence at least 95 percent identical to SEQ ID NO: 2; and (b) a polypeptide having an amino acid sequence identical to SEQ ID NO: 2." In the specification as filed, SEQ ID NO: 2 is described as an amino acid sequence comprising 80 amino acids. Therefore, as defined by claim 1, the composition comprises a

polypeptide with an amino acid sequence *at least 95 percent identical* to SEQ ID NO: 2. In other words, the amino acid sequence as defined by claim 1 must have *at least 76 of the 80 amino acids* (i.e., 95%) found in SEQ ID NO: 2.

Claim 7 depends from claim 1. Therefore, the composition according to claim 7 comprises a polypeptide that also has an amino acid sequence that is *at least 95 percent identical* to SEQ ID NO: 2. Claim 7 further defines the amino acid sequence to have at least **25 contiguous amino acids** of SEQ ID NO: 2. In other words, a polypeptide according to claim 7 has at least **25 amino acids in a row that are identical** to a continuous portion of SEQ ID NO: 2. Thus, according to claim 7, the composition comprises a polypeptide with an amino acid sequence in which a) *at least 76 of the 80 amino acids* (i.e., 95%) are identical to SEQ ID NO: 2 AND b) at least **25 of the 76 identical amino acids are continuous**. Claim 7 is merely a further, dependent designation of the polypeptide as defined by claim 1. Accordingly, Applicant requests that the Examiner's objection to claim 7 be withdrawn.

CONCLUSION

The foregoing remarks are believed to fully respond to the Examiner's objections. Furthermore, Applicant requests rejoinder of the withdrawn claims to the captioned application. The claims are in condition for allowance. Applicant respectfully requests allowance of the claims, and passage of the application to issuance.

Respectfully submitted,
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